

AMENDMENT NO. \_\_\_\_\_

\_\_\_\_\_  
**Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 1542**

**House Bill No. 1292**

by deleting all language after the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 7-82-307, is amended by adding the following as a new subsection to be appropriately designated:

( ) (1) In any water utility district with at least two thousand (2,000) subscribers in any county with a population of not less than fourteen thousand six hundred fifty (14,650) and not more than fifteen thousand (15,000), according to the 1990 federal census or any subsequent federal census, commissioners shall be selected as provided in this subsection. Each member, upon expiration of such member's term, shall continue to hold office until such successor shall have been appointed and qualified. Within two (2) weeks after the occurrence of a vacancy in the office of any commissioner caused by death, resignation, disability, or forfeiture of office, and no later than thirty (30) days prior to the expiration of the term of office of any incumbent commissioner, the board of commissioners or its remaining members shall select three (3) nominees to fill such office, in full accordance with any residential requirements that may apply to the office vacated or to be vacated, and under the seal of the board of commissioners, shall certify such list of nominees in order of preference recommended by such commissioners, to the county legislative body of the county in which the utility district or its principal office is located; or of the county in which the commissioners of the district customarily meet if the district has no

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principal office. Within twenty-one (21) days after the issuance of certification by the board of commissioners to the county legislative body, the county legislative body may by resolution either appoint one (1) of the nominees or reject the entire list or may refrain from taking any action, in which event the first name on the list of nominees shall be deemed appointed to fill the vacancy or new term by operation of law. Any order either appointing or rejecting a list of nominees shall be entered of record on the minutes of the county legislative body and a certified copy thereof shall be furnished to the board of commissioners and to the appointee, if any; provided, that upon the rejection of any entire list of nominees by the county legislative body, the board of commissioners shall continue to submit new non-identical lists of three (3) nominees to the county legislative body within thirty (30) days after each such rejection until such procedure shall result in the vacancy being filled for the remainder of the term or for the new term, as herein provided.

(2) The provisions of subsection (1) of this subsection shall be effective in any county to which it may apply upon approval by resolution adopted by a majority vote of the legislative body of such county.

Section 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or

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applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Section 3. This act shall take effect on becoming a law the public welfare requiring it.